Single Bench

IN THE HIGH COURT OF JUDICATURE AT BILASPUR (C.G.)

MCC NO. 180 /2006

APPLICANTS

1] Coal India Limited through its Chairman, 10, Netaji Subhash Road Kolkata.

2] South Eastern Coalfields Limited Through Chairman-cum-Managing Director, Registered Office – Seepat Road, Bilaspur.

3] Central Mine Planning & Design Institute Limited, A Subsidiary Company of CIL and having its Registered Office at Kanke Road, Ranchi, Jharkhand.

P.R. No. 1851/06 Presented by Shri Vikram Sharma dated 13/4/06

:VERSUS:.

NON-APPLICANTS

1] Amit Saxena S/o N.P.Saxena aged about 36 years, occupation –service, Sr.Mining Engineer, CMPDIL, Bilaspur[CG].

2] Prasant Shrivastava S/o Late HS.Shrivastava, aged about 33 years, occupation-service, presently posted as Sr.Mining Engineer/Incline Incharge, Bijuri Colliery, Hasdeo Area SECL, Bijuri, Distt: Shahdol [MP]

[3] D.K.Gupta, S/o Shri K.C.Gupta, Aged 36 yrs, occupation- Sr.Mining Engineer, posted at R.R.R.T, Bisrampur, SECL, Distt: Surguja.

[4] C.S.Naidu, S/o Shri R.Laxman, aged 36 yrs, occupation-Sr.ME, Rajendra Longwall Project, Sohagpur Area, Distt: Shahdol [MP]

Contd.P/2.

[5] S.K.Singh, S/o Shri Sheopujan Singh, aged 39 yrs, occupation-Sr.ME, presently posted at J&K Area, SECL Distt: Shahdol [MP]

[6] R.C.Gupta, S/o0 Shri R.N.Gupta, aged 36 yrs, occupation-Sr.ME/Safety Officer, at Jamuna OCM, J&K Area, SECL, Distt: Shahdol, MP.

[7] B.Sairam S/o Shri B.G.K.Rao, aged 32 yrs occupation- Sr. ME/Safety Officer, Umaria Colliery, Johilla Area, SECL, post & Distt: Umaria [MP]

[8] Niranjan Senapati, S/o Shri Raghunath Senapati, aged 37 yrs, occupation-Sr.ME, posted at Bcharabandh UG Project, SECL, Hasdeo Area, Distt: Shahdol [MP]

[9] S.K.Jha, S/o Shri Kashi Nath Jha, aged 34 yrs, occupation-Sr.ME/Safety Officer, Jainagar Colliery, Bisrampur Area, SECL Distt: Korea [CG]

[10] Bibhutinath Sharma S/o Shyam Kishore Sharma, aged 39 yrs occupation-Sr.ME posted at Malga Colliery, Hasdeo Area, SECL, Distt: Korea [CG].

[11] Vinay Kumar Sinha S/o Late B.B.Sinha, aged 35 yrs, occupation-Sr.ME posted at, Bijuri Colliery, SECL, Hasdeo Area, SECL, Distt: Shahdol [MP].

[12] Anup Kumar Roy, S/o Late K.C.Roy, aged 35 yrs. Occupation –Sr.ME, SECL, Hasdeo Area, West Jhagrakhand Colliery, Distt: Korea [CG].

Contd.P/3

APPLICATION FOR EXTENSION OF TIME BY RESPONDENTS/APPLICANTS.

XI-HC-22

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

आदेश पत्रक

मामला क्रमांक ..... सन् 200

..... विरुद्ध .....

आदेश का दिनांक आदेश क्रमांक सहित	आदेश हस्ताक्षर सहित	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश

Contempt Petition Nos.20/06 & 47/06 and M.C.C. Nos.77/05, 180/06, 181/06 and 182/06

23-6-2006

Shri B.P. Sharma and Shri Alok Bakshi, counsel for the petitioners.

Dr.N.K. Shukla, Sr. Advocate with Shri Praveen Das, counsel for the respondent/Shashi Kumar, Chairman, Coal India Limited.

It is pointed out by learned Sr. Counsel appearing for the respondent that M.C.C. Nos.77/05, 180/06, 181/06 and 182/06 have been filed by the respondent for extension of time to decide the representation. They are also listed today.

Heard learned counsel for the parties.

This common order shall dispose of Contempt Petition Nos.20/06 & 47/06 and M.C.C. Nos.77/05, 180/06, 181/06 and 182/06.

This Court while disposing of bunch of Writ Petition Nos. 588/2001, 3907/2003, 3347/2003 & 3774/2003 vide common order dated 18-10-2004 directed the rival parties to make the detailed representation to the Coal India Limited. It was further directed that the Chairman, Coal India Limited, either may hear himself or may constitute a High Power Committee to consider and decide the representations in accordance with law within a period of three months from the date of receipts of the representation. It was also directed that the Chairman of the Committee may evolve its own modalities for deciding the representation. The petitioners submitted the representation to the respondent, which was not

(पीछे देखिये)

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आदेश पत्रक

(20)

मामला क्रमांक ..... सन् 200

..... विरुद्ध .....

आदेश का दिनांक आदेश क्रमांक सहित	आदेश हस्ताक्षर सहित -2-	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश

decided within the stipulated period. Thereafter, the respondent filed M.C.C. bearing No.78/2005 for extension of time to decide the representation. The said M.C.C. was allowed by this Court vide order dated 25/8/2005 and the respondent was granted further time to decide the representation till 31st October, 2005, but the representation could not be decided.

Contempt Petition Nos. 20/06 and 47/06 have been filed by the petitioners against the non-compliance of the order passed by this Court and M.C.C. Nos. 77/05, 180/06, 181/06 and 182/06 have been filed by the respondent for extension of time to decide the representation.

Learned Sr. Counsel appearing for the respondent submitted that in compliance of the order of this Court, a High Power Committee was constituted and the Committee submitted its recommendation on 23/8/2005. It is further submitted that the matter was examined by the office and a note was put up on 8/9/2005 bringing out the anomalies. It is also submitted that some petitions were pending in the High Court of Judicature at Kolkatta wherein an order of injunction was passed restraining the respondents for giving any promotion automatically because of obtaining 1st Class MMCC.

It is stated by the learned Sr. counsel appearing for the respondent that now the order has been passed by the Coal India Limited on 12/6/2006 and communicated to the petitioners on 14/6/2006 or so. Learned Sr. Counsel appearing for the respondent however tendered an unconditional apology and stated that due to several difficulties the

(पीछे देखिये)

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आदेश पत्रक

(21)

मामला क्रमांक ..... सन् 200

..... विरुद्ध .....

आदेश का दिनांक आदेश क्रमांक सहित	आदेश हस्ताक्षर सहित -3-	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश

representation could not be decided within the stipulated period. He reiterated the same at the Bar.

Learned counsel appearing for the petitioners prays that the copy of the order passed by the respondent on 12/6/2006 may be supplied to the petitioners.

The respondent to supply copy of the order passed, if not already supplied, to each of the concerned employee as early as possible preferably within a period of 15 days.

Having considered the facts and circumstances of the case and the material on record and keeping in view the prayer made for extension of time on the grounds mentioned in those proceedings, the contempt proceedings are dropped.

Accordingly, Contempt Petition Nos.20/06 and 47/06 stand disposed of.

Since the order has been passed by the Coal India Limited, M.C.C. Nos. 77/05, 180/06, 181/06 and 182/06 for extension of time also stand disposed of.

Copy of this order be placed in all the aforesaid cases.

Certified copy as per rules.

Sd/-
Fakhruddin
Judge

H/-

(पीछे देखिये)

29.8.06